

UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

THESIS PAINTING, INC.
Employer

and

Case 05-RC-155713

INTERNATIONAL UNION OF PAINTERS
AND ALLIED TRADES, AFL-CIO,
DISTRICT COUNCIL 51
Petitioner

ORDER

The Employer's Request for Review of the Regional Director's Decision and Certification of Representative is denied, as it raises no substantial issues warranting review.¹

MARK GASTON PEARCE, CHAIRMAN

KENT Y. HIROZAWA, MEMBER

LAUREN McFERRAN, MEMBER

Dated, Washington, D.C., March 24, 2016

¹ In denying review, we agree with the Regional Director's finding that Adan Guzman was not an agent of the Petitioner, and therefore that his conduct during the election was not objectionable under Milchem, Inc., 170 NLRB 362 (1968). We need not pass on the Regional Director's alternate finding that, even if Guzman were an agent, his conduct would not have violated Milchem. In addition, although Jose Raymundo may have been the Petitioner's limited agent during the election while he served as the Petitioner's observer, see Dubovsky & Sons, Inc., 324 NLRB 1068 (1997), his wearing of a union t-shirt before the election started was not objectionable. See also Larkwood Farms, 178 NLRB 226 (1969)(an observer's mere wearing of campaign insignia is not objectionable).